

UNITED STATES DISTRICT COURT  
for the  
Southern District of New York

BENJAMIN WINCKLER, Individually and  
On Behalf of All Others Similarly Situated,

\_\_\_\_\_  
Plaintiff

v.

ACTIVISION BLIZZARD, INC., ROBERT A. KOTICK, SPENCER  
NEUMANN, and COLLISTER JOHNSON,

\_\_\_\_\_  
Defendant

)  
)  
)  
)  
)  
)  
)

Civil Action No. 1:19-cv-2095

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

Activision Blizzard, Inc.  
c/o Corporation Service Company  
251 Little Falls Drive  
Wilmington, DE 19808

A lawsuit has been filed against you.

Within 45 days after service of this summons on you (not counting the day you received it) you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

W. Scott Holleman, Esq.  
Johnson Fistel, LLP  
99 Madison Avenue, 5th Floor  
New York, NY 10016  
212-292-5690

If you fail to respond, judgment by default may be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Clerk or Deputy Clerk

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_.

▸ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

▸ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

▸ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

▸ I returned the summons unexecuted because \_\_\_\_\_; or

▸ Other *(specify)*: \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: